

BILL NO. R-94-03-06

RESOLUTION NO. R-09-94

A RESOLUTION APPROVING INDIVIDUAL
PUBLIC OFFICIAL SURETY BONDS FOR THE
DIRECTOR OF PUBLIC WORKS AND
DIRECTOR OF PUBLIC SAFETY.

WHEREAS, I.C. 5-4-1-8 and I.C. 5-4-1-18 require
that the Director, Board of Public Works; and Director,
Board of Public Safety, must be bound by an individual
Public Official Surety Bond; and

WHEREAS, pursuant to I.C. 5-4-1-8 and I.C. 5-
4-1-18, said Public Official Surety Bonds must be
approved by the City's legislative body.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Public Official Surety Bonds for
Director, Board of Public Works; and Director, Board of
Public Safety, copies of which are attached hereto, made
a part hereof and marked Exhibits "A" and "B,"
respectively, are hereby approved and ratified.

SECTION 2. That this Resolution shall be in
full force and effect from and after its passage, and any
and all necessary approval by the Mayor.

Clifton R. Edmonds
Council Member

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay
J. Timothy McCaulay, City Attorney

KNOW ALL MEN BY THESE PRESENTS, That we, Charles Edward Layton (Principal)

413 Three Rivers, Fort Wayne, IN and Reliance Insurance Company,

4 Penn Center Plaza, Philadelphia, PA 19103 (Surety)

are held and firmly bound unto The State of Indiana, and for the benefit of persons concerned or aggrieved, in the penal sum of Fifty Thousand and No/100----- (\$50,000.00) Dollars, to the payment of which well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this 20th day of January A. D. 19 94 The condition of the above obligation is as follows, viz.:

NOW THE CONDITION OF THIS OBLIGATION IS SUCH,

WHEREAS, the above named and bounden Charles Edward Layton has been duly elected and commissioned or appointed Director, Public Board of Works in and for Fort Wayne, Allen County, in the State of Indiana, aforesaid, for the term beginning from the 5th day of June A. D. 19 89 and until his successor is duly qualified.

Now, if the said Charles Edward Layton shall faithfully perform and discharge his duties as such Director, Public Board of Works and pay over on demand to the persons entitled or authorized to receive the same, all moneys that may come into his hands as such Director, Public Board of Works during his continuance in office; and further, that the Legislature may change, modify or repeal any law now in force, and exact any and all laws during the existence of the above obligation at the pleasure of the Legislature, without in any way or manner releasing the said officer or his said securities on said bond; then, and in that case, the above obligation shall cease, be null and void, otherwise to be and to remain in full force and virtue in law.

Reliance Insurance Company [Seal]

X [Seal]
(Charles Edward Layton)

By: Daniel J. Peters [Seal]

Daniel J. Peters [Seal]
Attorney-In-Fact

[Seal]

[Seal]

[Seal]

[Seal]

Accepted and approved this _____ day of _____, A. D. 19 _____

O. S. L. M. D.

State of Indiana, Allen County, ss:

Personally appeared before me, _____

in and for said County and State aforesaid, Charles Edward Layton who being sworn, upon his oath says:

"I will support the Constitution of the United States and of the State of Indiana, and I will faithfully, honestly and impartially discharge the duties of the office of Director, Public Board of Works to the best of my skill and ability."

X [Seal]
(Charles Edward Layton)

Subscribed and sworn to before me, this 17th day of February, 19 94

Deborah A. Anderson

KNOW ALL MEN BY THESE PRESENTS, That we, Payne Brown, 341 West Taber Street,
Fort Wayne, IN 46807 (as Principal) and Reliance Insurance Company, 4 Penn Center
Plaza, Philadelphia, PA 19103 (as Surety)

are held and firmly bound unto The State of Indiana, and for the benefit of persons concerned or aggrieved, in
the penal sum of Fifty Thousand and No/100 (\$50,000.00)
Dollars, to the payment of which well and truly to be made, we bind ourselves, our heirs, executors and admin-
istrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this 20th
day of January A. D. 1994. The condition of the above obligation is as follows, viz.:

NOW THE CONDITION OF THIS OBLIGATION IS SUCH,

WHEREAS, the above named and bounden Payne Brown
has been duly elected and commissioned or appointed Director of Public Safety in and
for Allen County, in the State of Indiana, aforesaid, for the term beginning
from the 1st day of January A. D. 1992 and until his successor
is duly qualified.

Now, if the said Payne Brown shall faithfully
perform and discharge his duties as such Director of Public Safety
and pay over on demand to the persons entitled or authorized to receive the same, all moneys that may come
into his hands as such Director of Public Safety
during his continuance in office; and further, that the Legislature may change, modify or repeal any law
now in force, and exact any and all laws during the existence of the above obligation at the pleasure of the
Legislature, without in any way or manner releasing the said officer or his said securities on said bond; then,
and in that case, the above obligation shall cease, be null and void, otherwise to be and to remain in full force
and virtue in law.

<u>Reliance Insurance Company</u> [Seal]	<u>Payne Brown</u> [Seal]
By: X <u>[Signature]</u> [Seal]	By: X <u>[Signature]</u> [Seal]
<u>Daniel J. Peters</u> [Seal]	
<u>Attorney-in-Fact</u> [Seal]	

Accepted and approved this _____ day of _____, A. D. 19 _____

[Signature]

State of Indiana, Allen County, ss:

Personally appeared before me, _____
in and for said County and State aforesaid, Payne Brown
who being sworn, upon his oath says:

"I will support the Constitution of the United States and of the State of Indiana, and I will faithfully,
honestly and impartially discharge the duties of the office of Director of Public Safety
_____ to the best of my skill and ability."

Subscribed and sworn to before me, this 17th day of February, 1994

X [Signature]
(Payne Brown)

[Signature]

Read the first time in full and on motion by J. M. M. M., seconded by _____, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 3-8-94 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Edmonds, seconded by _____, and duly adopted, placed on its passage. PASSED ~~lost~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GiaQUINTA	<u>✓</u>			
HENRY				<u>✓</u>
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 3-22-94 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. R-09-94 on the 22nd day of March, 1994

ATTEST: (SEAL)
Sandra E. Kennedy Don J. Schneider
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of March, 1994, at the hour of 11:30 o'clock PM, M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 24th day of March, 1994, at the hour of 9:00 o'clock PM, M., E.S.T.
Paul Helmke
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE RESOLUTION

9-94-03-06

DEPARTMENT REQUESTING ORDINANCE CONTROLLER'S OFFICE

SYNOPSIS OF ORDINANCE APPROVES PUBLIC OFFICIAL SURETY BOND FOR THE
DIRECTOR OF PUBLIC SAFETY AND THE DIRECTOR OF PUBLIC WORKS.

EFFECT OF PASSAGE PUBLIC OFFICIAL SURETY BOND IS APPROVED.

EFFECT OF NON-PASSAGE PUBLIC OFFICIAL SURETY BOND IS NOT APPROVED.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

BILL NO. R-94-03-06

REPORT OF THE COMMITTEE ON
FINANCE
CLETUS R. EDMONDS - DONALD J. SCHMIDT - CO-CHAIR
ARCHIE L. LUNSEY
DAVID C. LONG

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (~~ORDINANCE~~) (RESOLUTION) APPROVING INDIVIDUAL PUBLIC
OFFICIAL SURETY BONDS FOR THE DIRECTOR OF PUBLIC WORKS AND DIRECTOR
OF PUBLIC SAFETY

HAVE HAD SAID (~~ORDINANCE~~) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(~~ORDINANCE~~) (RESOLUTION)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Cletus Edmonds
OSR
Archie Lunsey

DATED: 3-22-94

Sandra E. Kennedy
City Clerk